

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

JUN 24 2011

Stephan Harris, Clerk
Cheyenne

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT VELASQUEZ, JR, et al.,

Defendants.

Case No. 10-CR-329-F

ORDER ON DEFENDANT ORDAZ'S MOTION TO STRIKE

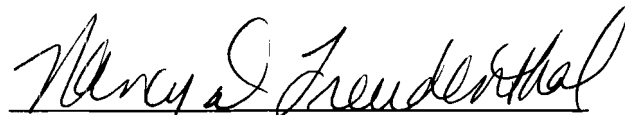
This matter is before the Court on Defendant Ordaz's Motion to Exclude All Alleged Drug Samples and Expert Testimony Regarding the Testing of Drug Samples with the Exception of a USA's Expert Joshua S. Williams as his Testing and Testimony Pertains to Items Seized at the Home of Defendant Miguel Angel Ordaz. The Court having reviewed the motion and being fully informed in the premises, FINDS and ORDERS as follows:

In support of his Motion to Strike, Defendant Ordaz argues that the Government has failed to provide the underlying data, experimental results, experimental tests and other experimental information which supports their ultimate conclusions. This matter was discussed during the hearing on pretrial matters in this case on May 27, 2011. At that time

the Government asserted that it had disclosed all lab results and that the information Defendant was requesting was beyond the scope of what is generally provided. At that hearing Mr. Fun also stated that the Government had reserved drugs for Defendants to have their independent examiners test. On June 7, 2011, Defendant Ordaz submitted his Notice of Intent to Offer Expert Testimony, which clearly indicates that Mr. Ordaz has had the drugs independently tested and has the reports of his own chemical experts.

The Court does not believe that the Government has unreasonably withheld information to the detriment of the Defendants. Therefore Defendant Ordaz's Motion to Strike is DENIED.

Dated this 24 day of June, 2011.

A handwritten signature in black ink, reading "Nancy D. Freudenthal". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

NANCY D. FREUDENTHAL
CHIEF UNITED STATES DISTRICT JUDGE